

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
DR. IRAKLI GLONTI, :
Plaintiff :
and : **No. 07 CV 10975 (CM) (AJP)**
DAVID DATESHIDZE, :
Plaintiff :
- against - :
LEHMAN BROTHERS, INC., :
Defendant :
and :
RBC DAIN RAUSCHER, INC., :
Defendant :
-----x

**Declaration of David Dateshidze in Opposition to
Defendants' Motions to Compel Arbitration**

Declaration of David Dateshidze

I, David Dateshidze, declare that I have personal knowledge of the facts set forth below and could, if called upon to testify as a witness at trial, testify that:

My Background

1. I am a citizen of the Republic of Georgia and reside at David Agmashenebeli Avenue 2/8, Flat 28, Tbilisi 0102, Georgia.
2. I am 39 years old.
3. I am married to Dr. Irakli Glonti's sister.
4. I was educated at the Technical University, in Georgia, and received a degree from there, in engineering, in 1993.
5. Afterwards, I was involved briefly in a business that supplied gasoline in Georgia. In 1996, I was appointed district engineer for the Tbilisi municipal authority and, in 2000, I was appointed head of the municipality's technical department covering education.
6. I ended my association with the Tbilisi municipal authority to start a venture that exported Georgian wine to Russia.
7. I do not speak, write, read or understand English. I have not traveled outside of Georgia, except to Moscow, Russia, for purposes of business, and to Turkey and Cyprus for vacation.
8. This Declaration was prepared in English and then translated to Georgian for me by Dr. Irakli Glonti.

My communications with Frank Foerster, Lehman Brothers Inc. and RBC Dain Rauscher Inc. have always been through Dr. Irakli Glonti.

9. Until I opened an account with Lehman Brothers Inc. ("Lehman Brothers"), I had never before entrusted my investment assets overseas to a United States-based investment firm.

10. Dr. Glonti recommended Lehman Brothers to me and because I do not speak, write, read or understand English, he served as my intermediary in all my dealings with Frank Foerster, Lehman Brothers and RBC Dain Rauscher Inc. ("RBC Dain Rauscher").

11. I have never physically met Foerster or any representative of Lehman Brothers and RBC Dain Rauscher.

Dr. Glonti arranges with Foerster to open an investment account for me at Lehman Brothers.

12. In March 2002, Dr. Glonti arranged with Foerster to open an investment account for me at Lehman Brothers.

13. Foerster transmitted by facsimile, two blank, two single-page documents to Dr. Glonti, in Tbilisi, Georgia, for him to have me to sign.

14. Dr. Glonti acted as an intermediary between Foerster and me because I have absolutely no command of English and thus could not communicate with Foerster. As I have said, I do not speak, read, write or otherwise understand English.

15. Afterwards, Foerster telephoned Dr. Glonti to have him explain to me the two single-page documents that he had transmitted to him were for me to sign.

16. Dr. Glonti told me Foerster had told him the documents were a "mere formality" for Foerster to use to open an account for me at Lehman Brothers.

17. Dr. Glonti then guided me to the place on each document where Foerster had indicated to him where I was to sign my name.

18. I signed each document at the place at which I was instructed and then Dr. Glonti re-transmitted the documents to Foerster.

19. LB 00687, a true and correct copy of which is attached to my declaration and is marked Exhibit 1, appears to be a copy of the document Foerster transmitted to Dr. Glonti to have me sign my name, but the document Foerster actually transmitted to have me sign was blank and none of the information reported on the document in its current format appeared on that which was originally transmitted to me.

20. LB 00688, a true and correct copy of which is attached to my declaration and is marked Exhibit 2, appears to be a copy of the document Foerster transmitted to Dr. Glonti to have me sign my name, but the document Foerster actually transmitted to have me sign was blank and none of the information reported on the document in its current format appeared on that which was originally transmitted to me.

Dr. Glonti arranges with Foerster to open an investment account for me at RBC Dain Rauscher.

21. In or about mid-May 2003, Dr. Glonti notified me that Foerster left the employ of Lehman Brothers to join RBC Dain Rauscher.

22. Dr. Glonti then told me Foerster would arrange to have us open investment accounts at RBC Dain Rauscher.

23. Foerster transmitted by facsimile, blank, single-page documents to Dr. Glonti, in Tbilisi, Georgia, on which there was space for me to sign my name.

24. Dr. Glonti again acted as an intermediary between Foerster and me because I have absolutely no command of English and thus could not communicate with Foerster. And as I have said, I do not speak, read, write or otherwise understand English.

25. Afterwards, Foerster telephoned Dr. Glonti to have him explain to me the single-page documents that he had transmitted to him for me to sign were a "mere formality" for Foerster to use to open an account for me with RBC Dain Rauscher.

26. Dr. Glonti then guided me to the place on each document at which Foerster had indicated I was to sign my name.

27. I followed these instructions and signed each document at the place at which Foerster had directed Dr. Glonti to have me sign my name and then Dr. Glonti re-transmitted the documents to Foerster.

28. RBC 0000442, a true and correct copy of which is attached to my declaration and is marked Exhibit 3, appears to be a copy of the document Foerster transmitted to Dr. Glonti to have me sign, but the document Foerster transmitted was blank and none of the information reported on the document in its current format appeared on the document that was originally transmitted to me to sign.

29. RBC 0000443, a true and correct copy of which is attached to my declaration and is marked Exhibit 4, appears to be a copy of the document Foerster transmitted to Dr. Glonti to have me sign, but the document Foerster transmitted was blank and none of the information reported on the document in its current format appeared on the document that was originally transmitted to me to sign.

30. RBC 0000444, a true and correct copy of which is attached to my declaration and is marked Exhibit 5, appears to be a copy of the document Foerster transmitted to Dr. Glonti to have me sign, but the document Foerster transmitted was blank and none of the information reported on the document in its current format appeared on the document that was originally transmitted to me to sign.

31. RBC 0000445, a true and correct copy of which is attached to my declaration and is marked Exhibit 6, appears to be a copy of the document Foerster transmitted to Dr. Glonti, on May 29, 2003, to have me sign, but the document Foerster transmitted was blank and none of the information reported on the document in its current format appeared on the document that was originally transmitted to me.

**There are documents in RBC Dain Rauscher's possession
on which my signature is forged.**

32. After RBC Dain Rauscher was notified by my attorney of the claims that I and Dr. Glonti are making against it, RBC Dain Rauscher produced RBC 0000447-0000449, 0000451 and 0000453, true and correct copies of which are

attached to my declaration and are marked Exhibits 7, 8, and 9, respectively.

33. I have never before seen RBC 0000447-449.

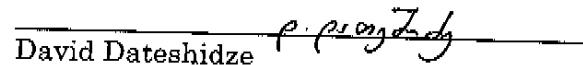
34. The signature appearing on RBC0000449 is not my signature and is a forgery.

35. I have never before seen before RBC 0000451 and 0000453.

36. The signatures appearing on RBC0000451 and 0000453 are not my signatures and are forgeries.

I declare under penalty of perjury, under the laws of the United States, that the foregoing Declaration is true and correct.

I have signed this declaration on January 6, 2008, in Tbilisi, Republic of Georgia.



David Dateshidze *penalty*

MAR-25-02 MON 03:50 PM

FAX NO.

P. 01

LEHMAN BROTHERS
Customer Account Services
P.O. Box 3760
New York, NY 10088-3760

Account Number
 831 7771411472

Client Agreement

CPI 3025

Before you sign this agreement, read it thoroughly and return this completed and signed agreement to Lehman Brothers at the address on the left side of this page. Subsequently you will receive literature containing important information about new accounts. Read the information carefully and retain it for future reference.

Account Title / Name

David Datehidze

Account Title / Name

88 Genesee Boulevard

Mailing Address

Atlantic Beach NY 11509

A. Tax Certification. Under penalties of perjury, I certify that the number shown below (and to the left) is my correct taxpayer identification number or if not, then the number I have entered below (and to the right) is my correct tax identification number, and that I am not subject to backup withholding because (a) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of failure to report all interest or dividends, or (b) the IRS has notified me that I am no longer subject to backup withholding (see below), or (c) I am exempt from backup withholding (see below). Note: You must cross out (b) above if you are currently subject to backup withholding because of underreporting interest or dividends on your tax return. The Internal Revenue Service does not require your consent to any provision of this document other than the certifications required to avoid backup withholding.

For those exempt from backup withholding (see instructions on page 6), write the word "EXEMPT" here: _____

B. Client Acknowledgment. I (we) hereby acknowledge that I (we) have read, understand and agree to the terms of this agreement. If this is a joint account, we further acknowledge that we have read, understand and agree to the terms of this agreement contained in paragraph 21. Note: Tenants in Common must execute a Tenant Joint Account Supplemental Agreement (form 3022). I (We) acknowledge that I (we) have received a copy of the agreement which contains a pre-dispute arbitration clause at Paragraph 22; I (We) have read it and agree to its terms.

1. Account Owner's Signature (Please sign in box)	Date	2. Account Owner's Signature (Please sign in box)	Date
3. Account Owner's Signature (Please sign in box)	Date	4. Account Owner's Signature (Please sign in box)	Date

C. Name Disclosure. Please indicate your choice as to the release or withholding of your name, address and securities positions to issuing corporations.

(No, I do not want) my name, address and securities positions disclosed to any companies, upon their request, in which I own securities
 (Yes, I do want) that are being held for me at Lehman Brothers Inc. ("Lehman") or any firm acting as a clearing broker for Lehman.

D. Money Market Fund Agreement. Lehman will be authorized (but not required) to invest or "sweep" available cash in your account into one of its money market funds unless you elect otherwise below. If you want to change a particular money market fund or you do not want available cash swept into a money market fund, please indicate below. If you wish to discuss or change your choice of money market fund, please contact your Investment Representative.
 (Note to Miscellaneous accounts: You must indicate below specifically whether or not you wish to have a money market sweep for your account.)

(No, I do not want) cash balances in my account automatically swept into a money market fund.

(Yes, I want) the cash balances in my account automatically swept into the fund of my choice.

E. Joint Account With Rights Of Survivorship. If the account has more than one owner, this agreement establishes a Joint Account With Rights of Survivorship. If you and the other account owners wish to establish a Tenancy in Common instead, each of you must execute a Joint Account Agreement As Tenants in Common in addition to this Client Agreement. Note: Tenants in Common must execute a Tenant Joint Account Supplemental Agreement (form 3022).

F. Margin Account Agreement. (Applicable only if you want the margin agreement described in paragraphs 16 through 19 of this agreement.) In consideration of your opening and maintaining one or more margin accounts on my behalf, I (we) hereby acknowledge that I (we) have read, understand and agree to the terms of a margin account contained in paragraphs 16 through 19 of this agreement. By signing this agreement, I (we) acknowledge that any (our) securities may be "loaned" to you or loaned out to others. (If this is a joint account, all parties must sign.)

1. Account Owner's Signature (Please sign in box)	Date	2. Account Owner's Signature (Please sign in box)	Date
3. Account Owner's Signature (Please sign in box)	Date	4. Account Owner's Signature (Please sign in box)	Date

Note for joint accounts: The Social Security Number of this account is the number of the client whose name appears first in the account title. Do not enter the number of any other account owner.

The Social Security Number or
 Tax Identification Number on
 Lehman Brothers' records is

Social Security Number

N/A

The Social Security Number
 or Tax Identification Number
 shown to the left is incorrect.
 The CORRECT number is

Taxpayer Identification Number

SF 2025 (12/97) (Rev. 12/97)

1

Exhibit 1

LB 00687

831-77714-1-1-472

Form W-BEN
Rev. December 2004
Department of the Treasury
Internal Revenue Service

Certificate of Foreign Status of Beneficial Owner for United States Tax Withholding

OMB No. 1545-1821

> Section references are to the Internal Revenue Code. ► See separate instructions.
> Give this form to the withholding agent or payer. Do not send to the IRS.

Instead, use Form

W-9

W-BECI

W-BECI or W-BMY

W-BECI or W-BEXP

W-BMY

- Do not use this form for:
- A U.S. citizen or other U.S. person, including a resident alien individual
 - A person claiming an exemption from U.S. withholding on income effectively connected with the conduct of a trade or business in the United States
 - A foreign partnership, a foreign simple trust, or a foreign grantor trust (see instructions for exceptions)
 - A foreign government, international organization, foreign central bank of issue, foreign tax-exempt organization, foreign private foundation, or government of a U.S. possession that received effectively connected income or that is claiming the applicability of sections 1152(c), 501(c), 862, 865, or 1443(b) (see instructions)

Note: These entities should use Form W-BBEN if they are claiming treaty benefits or are providing the form only to claim they are a foreign person exempt from backup withholding.

- A person acting as an intermediary

Note: See instructions for additional exceptions.

Part I Identification of Beneficial Owner (See instructions.)

1 Name of individual or organization that is the beneficial owner DAVID DATESHIDZE	2 Country of incorporation or organization
3 Type of beneficial owner: <input checked="" type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Disregarded entity <input type="checkbox"/> Partnership <input type="checkbox"/> Simple trust <input type="checkbox"/> Grantor trust <input type="checkbox"/> Complex trust <input type="checkbox"/> Estate <input type="checkbox"/> Government <input type="checkbox"/> International organization <input type="checkbox"/> Central bank or issue <input type="checkbox"/> Tax-exempt organization <input type="checkbox"/> Private foundation	
4 Permanent residence address (street, apt. or suite no., or rural route). Do not use a P.O. box or in-care-of address. AGMASHENEBELI 2/8	Country (do not abbreviate) TBILISI 380002 REP. OF GEORGIA
5 Mailing address (if different from above) 88 GENESSEE BOULEVARD	Country (do not abbreviate) ATLANTIC BEACH NEW YORK 11509 United States of America
6 U.S. taxpayer identification number, if required (see instructions)	7 Foreign tax identifying number, if any (optional) <input type="checkbox"/> SSN or ITIN <input type="checkbox"/> EIN
8 Reference numbers (see instructions)	

Part II Claim of Tax Treaty Benefits (if applicable)

- 9 I certify that (check all that apply):
- a The beneficial owner is a resident of Georgia within the meaning of the income tax treaty between the United States and that country.
 - b If required, the U.S. taxpayer identification number is stated on line 6 (see instructions).
 - c The beneficial owner is not an individual, derives the item (or items) of income for which the treaty benefits are claimed, and, if applicable, meets the requirements of the treaty provision dealing with limitation on benefits (see instructions).
 - d The beneficial owner is not an individual, is claiming treaty benefits for dividends received from a foreign corporation or interest from a U.S. trade or business of a foreign corporation, and meets qualified resident status (see instructions).
 - e The beneficial owner is related to the person obligated to pay the income within the meaning of section 287(b) or 707(b), and will file Form 8833 if the amount subject to withholding received during a calendar year exceeds, in the aggregate, \$500,000.
- 10 Special rates and conditions (if applicable—see instructions): The beneficial owner is claiming the provisions of Article of the treaty identified on line 8 above to claim a% rate of withholding on (specify type of income):
Explain the reasons the beneficial owner meets the terms of the treaty article:.....

Part III Notional Principal Contracts

- 11 I have provided or will provide a statement that identifies those notional principal contracts from which the income is not effectively connected with the conduct of a trade or business in the United States. I agree to update this statement, as required.

Part IV Certification

Under penalties of perjury, I declare that I have examined the information on this form and to the best of my knowledge and belief it is true, correct, and complete. I further certify under penalties of perjury that:

- I am the beneficial owner (or am authorized to sign for the beneficial owner) of all the income to which this form relates.
- The beneficial owner is not a U.S. person.
- The income to which this form relates is not effectively connected with the conduct of a trade or business in the United States or is effectively connected but is not subject to tax under an income tax treaty.
- For broker transactions or broker exchanges, the beneficial owner is an exempt foreign person as defined in the instructions.

Furthermore, I authorize this form to be provided to any withholding agent that has control, receipt, or custody of the income of which I am the beneficial owner or my withholding agent that can disburse or make payments of the income of which I am the beneficial owner.

Sign Here ➤

Printed Name
Signature of beneficial owner (or individual authorized to sign for beneficial owner)

03.26.2002

Date (MM-DD-YYYY)

Capacity in which acting

For Paperwork Reduction Act Notice, see separate instructions.

Cat. No. 25947Z

Form W-BEN (Rev. 12-2004)

Exhibit 2

LB 00688

MAY 19 '03 12:00 PM AB: DAIN RAUSCHER 212 315 6984 TO 901199532292566 P.06/06



RBC
Dain Rauscher

Member NYSE/SIPC

1101

34555605

NPI63

Firm ID

Account Number

FC*

ACCOUNT INFORMATION
 New Account Update

Account Type:

Name & Address DAVID DATE SHIDZE 88 GENESSEE BLVD ATLANTIC BEACH, NY 11509		Name & Address II	
SSN/EIN	Date of Birth	SSN/EN	Date of Birth
Business Phone 951 295 1237	Home Phone	Business Phone	Home Phone
Citizenship GEORGIAN	Marital Status MARRIED	US Citizen (Yes or No)	Relationship to Client
Employer (If retired, state previous employer) CDN LTD		Employer (If retired, state previous employer)	
Address UZNADZE 2 TBILISI, GEORGIA		Address	
Occupation VICE PRESIDENT		Occupation	

Is either party or immediate family member affiliated with or employed by another Broker/Dealer Member Firm? If yes, indicate firm and position.
(Please understand must be ultimate owning member firm)

Is either party or immediate family member any of the following: director, shareholder with 10% or more of the stock, or policy making executive officer of a publicly traded company? If yes, indicate company and position.

If either party or immediate family member is an employee of an RBC Dain Rauscher Inc. member firm, indicate relationship here:

Date Opened	Account Transferred From? LEHMAN	Source of Funds	J/T Source of Funds
Account Source	Referred By	# Years Known to FC 4	Annual Income (all sources) \$ 200,000
Client's Investment Experience HIGH	# Years as an Investor 5	Liquid Assets \$ 2 MILLION	J/T Annual Income (all sources)
Net Worth (excluding home) \$ 5 MILLION	Estimated Tax Bracket (%)	# Dependents (including self) 3	Custodian's Account Number

Investment Objectives (risk tolerance)

GROWTH (AGGRESSIVE)

Initial Order Solicited?	Initial Transaction - list type, quantity and security (do not use symbol)		
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Trading Authorization on File?	Agent Name & Address (complete if account is operated by Power of Attorney or Trading Authorization)		
Relationship to Client	Agent's Account #	Reason for Authority	Agent's Investment Experience

Financial Consultant Signature <i>[Signature]</i>	Date MAY 21 2003	Branch Manager Approval	Date
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Client Certification: I certify that the information provided on this form is true, correct and complete. All persons must sign if this is a joint account.

Signature <i>X 119739</i>	Date 5/19/03	Signature <i>X</i>	Date
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Acc 1101

MAY 19 '03 13:00

+99532292566

F

RBC 0000442

Exhibit 3

MAY 19 '03 11:59 AM - DAIN RAUSCHER 212 315 6512 TO 901199532292566 P.05/06



RBC
Dain Rauscher

Member NYSE/NIPC

110124555605 NIPS 3
Firm ID Account Number FC #

CLIENT STANDARD ACCOUNT AGREEMENT

page 1 of 3

Name & Address

DAVID DATESHIDZE
88 GENESSEE BLVD
ATLANTIC BEACH, NY 11509

Name & Address II

- I understand that my Standard Account is subject to the terms and conditions of the Standard Account Agreement.
- I have received and reviewed a copy of the Standard Account Agreement.
- THIS AGREEMENT CONTAINS A PRE-DISPUTE ARBITRATION CLAUSE IN SECTION 18 ON PAGE 3.
- This Agreement has not been amended, altered or revised in any way by me, and I agree to be bound by, and comply with, its terms and conditions in their entirety.
- Please sign and return the firm copy.

Client Certification: I certify that the information provided on this form is true, correct and complete. All persons must sign if this is a joint account.

Client Signature

Date

Client Signature

Date

As used in this Agreement, the terms "you", "I", and "me" refer to the client of RBC Dain Rauscher Inc, who seeks to open a standard account agreement, and the term "RBC Dain" refers to RBC Dain Rauscher Inc. In consideration of your continuing or now and hereafter opening an account or accounts for the purchase and sale of securities and commodities for me, or in my name, I agree that all transactions with respect to any such account shall be subject to the following terms:

1. Client Representations.

- If you are an individual, you represent and warrant that you are of legal age, that no one except you has an interest in your account, and you are not an employee of any exchange, or of a member firm of any exchange or the National Association of Securities Dealers, Inc. ("NASD"), any other self-regulatory organization, or of a bank, trust company, or insurance company unless you have notified RBC Dain to that effect, and you will promptly notify RBC Dain if you become so employed.
- If you are a corporation, trust, partnership or other entity, you represent and warrant that you are duly formed and existing under the laws of your state or jurisdiction of formation and in good standing and (if you are a corporation) in good standing in every jurisdiction in which you do business; the person(s) designated to act for you have been duly authorized by all necessary and appropriate institutional action; such person or persons have full authority to execute this Agreement and all related documents on your behalf; and to act for you in all matters regarding your account(s); RBC Dain may at all times rely on the fact of such authorization without any duty to investigate into either the authenticity or extent thereof of such authorization; and the party or parties designated as authorized signatories constitute(s) all of the proper and necessary authorized signatories.

2. Client's Obligation.

I agree to notify RBC Dain within ten (10) calendar days of receipt of my confirmation and/or statement of any trades or transactions that were executed without my authorization, any transactions which are not properly reflected on my confirmation or monthly statement, or any other activities or omissions by RBC Dain, its agents or employees that I believe to be improper. Unless I object in writing within ten (10) calendar days of receipt of my confirmation or statement, confirmations of transactions and statements for my account shall be binding on me. Any communications regarding errors or misunderstandings with respect to my account should be addressed to the Branch Manager of the branch office where my account is maintained.

3. Communications.

Notices and communications may be sent to you at your address given above or at such other address as you may hereafter give RBC Dain in writing, and all communications so sent, whether by mail, telegraph, messenger or otherwise, shall be deemed given to you personally, whether actually received or not.

4. Accuracy Of Account Information.

I agree to notify RBC Dain in writing of any material change in my financial circumstances or any change in my investment objectives. I will address such notice to the Branch Manager of the branch office where my account is maintained. Any information taught RBC Dain on or relating to this account will be subject to verification, and I authorize RBC Dain to obtain a credit report about me at any time and to share the credit report with any of RBC Dain's affiliates.

5. RBC Dain "Financial Consultant" Title.

The RBC Dain professionals who serve retail clients use the title of "Financial Consultant." This title was selected in recognition of the wide and expanding variety of financial products and services RBC Dain offers its clients. The term "Financial Consultant", as used by RBC Dain, is not intended to imply that its professionals are financial planners as the term is defined by certain state rules and regulations. RBC Dain professionals engage in providing a broad range of financial services and products some of which are offered by affiliated companies. These professionals maintain the necessary licenses required to offer financial products and services including the trading, distribution and sale of investments such as, for example, stocks, bonds, mutual funds, options and insurance and annuity contracts. RBC Dain's professionals are compensated by various means, including commissions or fixed fees, and their compensation may be affected by the overall value of the assets and any margin balances in the accounts which they service.

MAY 19 '03 11:58 AM RBC DAIN RAUSCHER 212 315 8904 TO 501199522292566 P.04/06



RBC
Dain Rauscher

Member NYSE/SIPC

110 24555605 NAF13
Firm ID Account Number FC#

OFFSHORE CLIENT CERTIFICATION

In signing this form, each of the undersigned certifies that all of the following conditions are satisfied:

- I am not a citizen of, or resident in the United States or its territories or possessions or Ireland.
- I will not transfer, directly or indirectly, any Shares or other interest (collectively, the "shares"), or any interest therein (including, without limitation, any right to receive dividends or other distributions), of any money market fund the securities of which are intended to be distributed outside the United States and its territories and positions to a citizen, or resident of, or entity incorporated or chartered in the United States or its territories or possessions or Ireland, or to any other person or entity, unless the proposed transferee has made these certifications.
- I will not participate in any activity relating to the sale of Shares in the United States or its territories or possessions or Ireland.
- I have not obtained any funds to effect the purchase of these Shares from a U.S. person, or in a manner which is deemed to be illegal by the laws of the country of which I am a citizen, or in which I am a resident, or those of the United States or its territories or possessions or Ireland.
- I understand and agree that the fund has not been and will not be registered under the United States Investment Company Act of 1940, as amended, and that the Shares have not been and will not be registered under the United States Securities Act of 1933, as amended, or the securities laws of any State of the United States or Ireland.
- I will ensure that I am outside of the United States or Ireland at the time that I place an order to purchase Shares.
- I will be certain to read prospectuses and fully understand the procedures and regulations set forth within them before purchasing offshore funds.
- I will immediately notify both my investment advisor and the fund should I at any time become a citizen of, or resident in the United States (as defined by the United States Internal Revenue Code) or Ireland.

Print Name DAVID DATESHIOZE	Print Name
Client Signature 	Date 5/19/03
Client Signature 	Date

RBC Dain Rauscher Financial Consultant Certification

In signing this form, the under-signed Financial Consultant certifies that all of the following statements are true:

- I have verified that each of the client(s) signing above is a non-resident alien as defined by the United States Internal Revenue Code; and understand that if the client does not meet the definition of a non-resident alien, this investment is a violation of the Securities Act of 1933 and its amendments.
- I understand that any inappropriate use of offshore funds by the client, which results from my failure to adequately exercise set procedures, may result in the loss of my license as a Financial Consultant and the termination of employment with RBC Dain Rauscher Incorporated.
- I understand that I may accept and act on investment instructions and directions only on the condition that the client is outside of the United States, and its territories and possessions or Ireland at the time that the client issues such instructions or directions.

Financial Consultant Signature 	Date MAY 21/2003
------------------------------------	----------------------------

Please Fax to Client Account Services at (612) 607-8900

FOR OFFICE USE

Client Account Services

Accepted By:

Date

MAY 19 '03 12:58

10007220566

D

RBC 0000444

MAY 29 '03 14:43 FR FBC DR11H RAUSCHER 212 315 8984 TD 901199532292566 P. 01/21



RBC
Dain Rauscher

Member NYSE/SIPC

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EG 8

**CLIENT MARGIN ACCOUNT
AGREEMENT AND APPLICATION**, page 1 of 3

THIS AGREEMENT CONSISTS OF THREE PAGES. I HAVE READ AND UNDERSTAND THE TERMS OF THIS AGREEMENT.

BY SIGNING THIS AGREEMENT I ACKNOWLEDGE THAT:

2. I HAVE RECEIVED A COPY OF THIS AGREEMENT

AND I REIN CERTIFY,
I HAVE RECEIVED THE MARGIN DISCLOSURE STATEMENT.
THIS AGREEMENT CONTAINS A PROVISION FOR ARBITRATION.

| Name & Address of Account

DAVID DATESHIDE
88 GENESSEE BLVD
ATLANTIC BEACH NY 11709

Client Signature (or authorized person if applicable) 	Date 5/29/03	Signature of Second Party (if a joint account) 	Date
Title, if applicable (e.g., President, Partner, Trustee, Custodian) DAVID DATESHIDZE		Faint or illegible signature above	
Title, if applicable (e.g., President, Partner, Trustee, Custodian)			
Occupation VICE PRESIDENT	Title, if applicable (e.g., President, Partner, Trustee, Custodian)		
Employer CDN LTD.	Title, if applicable (e.g., President, Partner, Trustee, Custodian)		

Financial Consultant Signature	For office use only	
	Date	Branch Manager Signature
	5/29/03	
TD: RRC Data Reconciler Inc. (RRC Data)		

1. **STATUS OF RBC Dain AS BROKER.** In purchasing or selling securities and commodities for me you shall act as my agent unless you notify me in writing prior to the settlement date or make the necessary disclosure on the confirmation that you are acting as a dealer for your own account or as an agent for some other party.
 2. **STATUS OF RBC Dain AS A SELF-CLEARING FIRM.** I understand that RBC Dain is a self-clearing broker dealer and as such carries my account and clears and settles all trades in my account. As used in this agreement, the terms "you", "your" and other terms having a similar meaning shall be deemed to refer to RBC Dain.
 3. **PROVISIONS OF THE SECURITIES EXCHANGE ACT OF 1934 AND THE COMMODITY EXCHANGE ACT.** I agree to be bound by the provisions of the Securities Exchange Act of 1934 and the Commodity Exchange Act, to all rules and regulations of the Securities and Exchange Commission, the Board of Governors of the Federal Reserve System and the Commodity Futures Trading Commission. They also shall be subject to the rules and regulations, customs and usages of the exchange on which whenever my orders are executed, as the same may be amended or supplemented from time to time.
 4. **DESIGNATION OF ORDERS/SHORT SALES.** Every order I give you for the sale or purchase of securities or commodities contemplates an actual sale or purchase. I will deliver to you securities or commodities to cover all my sale orders and will receive and pay for on my demand all securities and commodities covered by my purchase orders. If I fail to deliver to you any securities or commodities which you have sold pursuant to my order, you are authorized to borrow the securities or commodities necessary to make delivery thereof, and in the event of your inability to borrow or otherwise obtain the securities or commodities, I will be liable to you for the amount of the loss sustained by you in connection therewith. In relation to my short sales of securities or commodities, I will be liable to you for the amount of the loss sustained by you in the case of a short sale for want of deliverable shares. The short transaction may at any time be terminated by presentation of the shares to the lender or otherwise becoming unavailable. Furthermore, I understand that you will not be responsible for any losses sustained by me as a result of short sales strategies that were terminated due to impossible shares.

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** TOTAL PAGE 81 **



**RBC
Dain Rauscher**

Member NYSE/SIPC

* **1101 24555605 NF53**

Firm ID

Account Number

FC Number



CLIENT ACCOUNT INFORMATION

New Account Update Account Type **INDIVIDUAL**

ACCOUNT OWNERSHIP INFORMATION

Name and Address of Primary Account Owner/Trustee DAVID DATESHIDZE 88 GENESSEE BLVD ATLANTIC BEACH NY 11509-0000		Name and Address of Joint Owner (if joint account)	
Date of Birth 04/15/1958	SSN/EIN	Date of Birth	SSN/EIN
Home Phone 953-295-1237	Business Phone 953-295-1237	Home Phone	Business Phone
Citizenship GG	Marital Status MARRIED	Citizenship	Relationship to Primary Client
Occupation VICE PRESIDENT		Occupation	
Employer Name and Address (If retired, state previous employer.) CDN LTD UZNADZE 2 TBILISI, GEORGIA		Employer Name and Address (If retired, state previous employer.)	

ADDITIONAL OWNERS (IF APPLICABLE)

Name of Additional Account Owners/Trustees	Name of Additional Account Owners/Trustees
_____	_____
_____	_____

ADDITIONAL CLIENT INFORMATION

Is either party or an immediate family member affiliated with or employed by another Broker/Dealer member firm? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is the account owner(s) or an immediate family member of the account owner(s) an employee of RBC Dain Rauscher? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, indicate the firm and position. <i>(Proper authorization must be obtained from the member firm.)</i>	Is the account traded by a third party? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, is there a Trading Authorization or Power of Attorney on file? <input type="checkbox"/> Yes <input type="checkbox"/> No
Is either party or an immediate family member any of the following: director, shareholder with 10% or more of the stock, or a policy-making executive officer of a publicly traded company? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Indicate name and address of third party agent.
If yes, indicate company and position.	Indicate name and address of third party agent.

CLIENT ACCOUNT INFORMATION (Continued)

* **1101 24555605 NF53**
 Firm ID Account Number FC Number

FINANCIAL INFORMATION	
If any information is inaccurate, please correct and initial your changes before returning.	
Annual Income (all sources) <input type="checkbox"/> Under \$50,000 <input type="checkbox"/> \$500,000 - 999,999 <input type="checkbox"/> \$50,000 - 99,999 <input type="checkbox"/> \$1,000,000 + <input checked="" type="checkbox"/> \$100,000 - 249,999 <input type="checkbox"/> Client Refused (additional documentation required) <input type="checkbox"/> \$250,000 - 499,999	Joint Owner's Annual Income (all sources) <input type="checkbox"/> Under \$50,000 <input type="checkbox"/> \$500,000 - 999,999 <input type="checkbox"/> \$50,000 - 99,999 <input type="checkbox"/> \$1,000,000 + <input type="checkbox"/> \$100,000 - 249,999 <input type="checkbox"/> Client Refused (additional documentation required) <input type="checkbox"/> \$250,000 - 499,999
Net Worth - excluding home (combined if joint account) <input type="checkbox"/> Under \$100,000 <input type="checkbox"/> \$1,000,000 - 2,999,999 <input type="checkbox"/> \$100,000 - 249,999 <input checked="" type="checkbox"/> \$3,000,000 + <input type="checkbox"/> \$250,000 - 499,999 <input type="checkbox"/> Client Refused (additional documentation required) <input type="checkbox"/> \$500,000 - 999,999	Liquid Assets <input type="checkbox"/> Under \$100,000 <input checked="" type="checkbox"/> \$1,000,000 - 2,999,999 <input type="checkbox"/> \$100,000 - 249,999 <input type="checkbox"/> \$3,000,000 + <input type="checkbox"/> \$250,000 - 499,999 <input type="checkbox"/> Client Refused (additional documentation required) <input type="checkbox"/> \$500,000 - 999,999
Number of Years as an Investor 5	Estimated Tax Bracket <input type="checkbox"/> 0 - 10% <input type="checkbox"/> 11 - 15% <input type="checkbox"/> 16 - 25% <input checked="" type="checkbox"/> 26 - 28% <input type="checkbox"/> 29 - 33% <input type="checkbox"/> 33% +
Client's Investment Experience <input type="checkbox"/> None <input type="checkbox"/> Limited <input type="checkbox"/> Average <input checked="" type="checkbox"/> Extensive	Money Market Choice NONE
Number of Dependents (including self) 3	Transaction PENDING
Initial Order Solicited <input type="checkbox"/> Yes <input type="checkbox"/> No	Security Name
Quantity	
Investment Objective (choose one)	
<input type="checkbox"/> Preservation of Principal/Income - Focus is on preservation of principal and income. <i>Very conservative.</i> Note: For Advisory accounts, the investment objective for this category is Income.	
<input type="checkbox"/> Balanced/Conservative Growth - Focus is on generating current income and/or long-term capital growth. <i>Conservative.</i> Note: For Advisory accounts, the investment objective for this category is either Balanced or Conservative Growth.	
<input type="checkbox"/> Growth - Focus is on generating long-term capital growth. <i>Moderate.</i> <input checked="" type="checkbox"/> Aggressive Growth - Focus is on generating growth and/or income with a willingness to assume a high level of risk. <i>Aggressive.</i>	
<input type="checkbox"/> Speculation - Focus is on generating highest potential growth and/or income with a willingness to assume highest level of risk. <i>Very aggressive.</i>	
ACCOUNT SERVICES	
You have selected the following service(s) for your account:	
<input type="checkbox"/> Standard Checking - Gives you convenient, limited access to the cash in your account through check writing privileges. <i>(Not permitted in retirement accounts.)</i>	
<input type="checkbox"/> Investment Access - Gives you easy access to the assets in your account through check writing, ATM and/or Visa Gold® Check Card privileges, as well as the ability to move money electronically, pay bills electronically, and much more. <i>(Not permitted in retirement accounts.)</i>	
<input type="checkbox"/> ACH - Allows you to move money electronically between your RBC Dain Rauscher account and other outside accounts, putting your cash to work for you faster.	
<input checked="" type="checkbox"/> Margin - Allows you to borrow funds against eligible securities in your RBC Dain Rauscher account for both investment and non-investment purposes. Interest is charged on the amount borrowed. Certain risks are associated with this type of account. See the Margin Disclosure Statement in the enclosed Client Agreement. <i>(Not permitted in custodial, estate, or retirement accounts.)</i>	

CLIENT ACCOUNT INFORMATION (Continued)

* 1 1 0 1 2 4 5 5 5 6 0 5 N F 5 3
 Firm ID Account Number PC Number

W-9 INFORMATION

Part I - Awaiting TIN

Check the box if you are presently applying for a Taxpayer Identification Number

Part II - Exempt payees

Check the box if you are exempt from backup withholding and information reporting

CLIENT ACKNOWLEDGEMENT AND AGREEMENT

1. I confirm that I am at least 18 years of age and of full legal age in my state of residence.
2. I acknowledge that I have received the *Client Agreement* and agree to abide by its terms as currently in effect or as they may be amended from time to time.
3. I UNDERSTAND THIS ACCOUNT IS BEING GOVERNED BY THE PRE-DISPUTE arbitration clause appearing on page 6 of the *Client Agreement* at Section 19.

For Margin Accounts Only:

4. I understand that my securities may be loaned to you and to others as provided under SEC Rule 15c 3-3 and other applicable law.
5. I acknowledge that I have received and read the margin information, including the Margin Disclosure Statement, in the enclosed *Client Agreement*.

SUBSTITUTE W-9 CERTIFICATION

Certification: Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. person (including a U.S. resident alien).

You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return.

By entering your name below, you signify that you have read, met, and agreed to all terms and conditions above.

The IRS does not require my consent to any provision of this document other than the certifications required to avoid backup withholding.

SIGNATURES

6/23/04

Primary Account Owner/Trustee Signature

Date

Joint Tenant/Additional Trustee Signature

Date

Joint Tenant/Additional Trustee Signature (if applicable)

Date

Joint Tenant/Additional Trustee Signature (if applicable)

Date

Financial Consultant Signature

6/10/04

Date

Branch Manager Approval

6/10/04

Date



**RBC
Dain Rauscher**

Member NYSE/SIPC

* 1 1 0 1 2 4 5 5 5 6 0 5 N F 5 3
Firm ID Account Number FC #



OFFSHORE CLIENT CERTIFICATION

In signing this form, each of the undersigned certifies that all of the following conditions are satisfied:

- I am not a citizen of, or resident in the United States or its territories or possessions or Ireland.
- I will not transfer, directly or indirectly, any Shares or other interest (collectively, the "shares"), or any interest therein (including, without limitation, any right to receive dividends or other distributions), of any money market fund the securities of which are intended to be distributed outside the United States and its territories and positions to a citizen, or resident of, or entity incorporated or chartered in the United States or its territories or possessions or Ireland, or to any other person or entity, unless the proposed transferee has made these certifications.
- I will not participate in any activity relating to the sale of Shares in the United States or its territories or possessions or Ireland.
- I have not obtained any funds to effect the purchase of these Shares from a U.S. person, or in a manner which is deemed to be illegal by the laws of the country of which I am a citizen, or in which I am a resident, or those of the United States or of its territories or possessions or Ireland.
- I understand and agree that the fund has not been and will not be registered under the United States Investment Company Act of 1940, as amended, and that the Shares have not been and will not be registered under the United States Securities Act of 1933, as amended, or the securities laws of any State of the United States or Ireland.
- I will ensure that I am outside of the United States or Ireland at the time that I place an order to purchase Shares.
- I will be certain to read prospectuses and fully understand the procedures and regulations set forth within them before purchasing offshore funds.
- I will immediately notify both my investment advisor and the fund should I at any time become a citizen of, or resident in the United States (as defined by the United States Internal Revenue Code) or Ireland.

Print Name	David Dateshidze	Print Name	
Client Signature	X <i>D. Dateshidze</i>	Date	6/23/04
		Client Signature	X
		Date	

RBC Dain Rauscher Financial Consultant Certification

In signing this form, the under signed Financial Consultant certifies that all of the following statements are true:

- I have verified that each of the client(s) signing above is a non-resident alien as defined by the United States Internal Revenue Code, and understand that if the client does not meet the definition of a non-resident alien, this investment is a violation of the Securities Act of 1933 and its amendments.
- I understand that any inappropriate use of offshore funds by the client, which results from my failure to adequately exercise set procedures, may result in the loss of my license as a Financial Consultant and the termination of employment with RBC Dain Rauscher Incorporated.
- I understand that I may accept and act on investment instructions and directions only on the condition that the client is outside of the United States, and its territories and possessions or Ireland at the time that the client issues such instructions or directions.

Financial Consultant Signature	Date
X <i>[Signature]</i>	6/10/04

Please fax to Client Account Services at (612) 607-8900

FOR OFFICE USE	
Client Account Services	
Accepted By:	Date

Firm Copy

OIC 9002



**RBC
Dain Rauscher**

Member NYSE/SIPC

Bond
10-13-04

1101

24555605

NFS3

Firm ID

Account Number

FC #

**INVESTMENT ACCESS® ACCOUNT
APPLICATION, page 1 of 2**

Account Owner Information	
Account Owner Name (as it should appear on your checks)	
<i>David Datschidze</i>	
Co-Owner Name(s)	
Mailing Address	
<i>88 Genessee Blvd Atlantic Beach NY 11729-0220</i>	
Telephone Number (include area code)	

Checking	
What type of checks would you prefer?	
<input type="checkbox"/> Single checks with cover - free	<input checked="" type="checkbox"/> None
<input type="checkbox"/> Duplicate checks with cover - free	
<input type="checkbox"/> 3-to-a-page checks with binder - \$80.00	
<input type="checkbox"/> 3-to-a-page Laser/ink jet checks - \$104.00	
Complete items below if you would like this information on your checks	
Telephone Number (include area code)	
Driver's License #	

VISA Gold® Check Card	
Check the box below if you would like us to send you a VISA Gold Check Card:	
<input checked="" type="checkbox"/> Yes, send VISA Gold Check Cards to the Account Owner and Co-Owner.	Mother's Maiden Name (required for VISA Gold Check Card)
<input type="checkbox"/> No VISA Gold Check Card at this time.	<i>BENDUKIDZE</i>

Cash Investment Options	
To which fund would you like us to sweep your idle cash?	
<input type="checkbox"/> Tamara <i>156122</i> <input type="checkbox"/> Tamarack U.S. Government Money Market Fund <input type="checkbox"/> Tamarack Tax-Free Money Market Fund <input type="checkbox"/> Tamarack Prime Institutional (\$1 Million minimum balance required) <input type="checkbox"/> Tamarack Institutional Tax-Free Money Market Fund <i>(\$1 Million minimum balance required)</i>	<input type="checkbox"/> Treasury Cash Series State Municipal Cash Trust: <input type="checkbox"/> Arizona <input type="checkbox"/> California <input type="checkbox"/> Minnesota <input type="checkbox"/> New Jersey <input type="checkbox"/> New York <input type="checkbox"/> Virginia <input type="checkbox"/> Credit Interest Program * <input type="checkbox"/> None
* If you reside in WI, UT, or LA, or have your pension check deposited directly into your Investment Access Account, you cannot choose the Credit Interest Program.	

Signatures			
By signing this agreement, I acknowledge that:			
I. My Investment Access Account is subject to all terms and conditions included in the Investment Access Account Agreement.			
II. I understand that if my Investment Access Account is a custodial account established under either the Uniform Transfer to Minors Act or Uniform Gift to Minors Act, or a Fund Advisory Account, I may not utilize a margin account and that I cannot borrow against the securities held in my account.			
III. I have received a copy of the Investment Access Account Agreement and fee schedule, have had an opportunity to read them, and consent to all of their terms and conditions.			
IV. I am of legal age and I am not an employee of any exchange, or of any corporation of which any exchange owns a majority of the capital stock. In addition, I am not a member of any exchange, or of a member firm or member corporation registered on any exchange, or of a bank, trust company, insurance company or of any corporation, firm or individual engaged in the business of dealing, either as a broker or as principal, in buying or selling securities, bills of exchange, acceptances or other forms of commercial paper. I will promptly notify you in writing if I am now or will become so employed. I also represent that no other person has an interest in my account or accounts with you.			
V. This Agreement has not been altered or revised in any manner by me, and I agree to be bound by its terms and conditions in their entirety.			
VI. RBC Dain Rauscher Inc. is entitled to rely upon the information provided in this form until written notice of its revocation is provided to us.			
All Account Owners must sign below: Account Owner Signature <i>X</i> Date <i>10/13/04</i> Co-Owner Signature <i>X</i> Date			

This Application must be accompanied by an Investment Access Account Agreement

For Office Use Only			
Financial Consultant Signature	Date <i>10/13/04</i>	Branch Manager Signature <i>D. Miller</i>	Date <i>10/11/04</i>

Please see next page for additional services available to you.

Return to Document & Imaging Services

800-422-7435

Exhibit 9

RBC 0000453